

## NEWS RELEASE

For Immediate Release  
May 5, 1999

0635 '99 MAY 13 A9:18  
Contact: (202) 332-9110  
Collene Dermody, ext. 370

### Statement on FDA Review of Take Control Margarine

CSPI is pleased that Lipton reviewed with the Food and Drug Administration (FDA) the safety of plant sterols before attempting to market Take Control margarine. Lipton's actions are in stark contrast to those of Johnson & Johnson, which attempted to introduce a similar product as a "dietary supplement" to avoid FDA review.

CSPI is concerned, however, that FDA conducted its review in secret and did not provide the public an opportunity to comment. CSPI is also concerned that the FDA agreed to allow Lipton to claim on the label that Take Control "helps promote healthy cholesterol levels as part of a diet low in saturated fat and cholesterol." The FDA considers that statement to be a "structure/function" claim. In fact, that claim is tantamount to a "health" claim because it implies that the margarine lowers blood cholesterol.

The distinction between a health claim and a structure/function claim is important because had the FDA considered the label statement to be a health claim, the agency would have been legally required to give the public an opportunity to comment before the product was placed on the market. Furthermore, the claim might never have appeared because the FDA has prohibited health claims for heart disease on foods, like margarine, that are not low in fat (i.e. no more than 3g per serving). By allowing Lipton to make a structure/function claim for its margarine, the FDA has excluded the public from the decision-making process and let the company skirt rules designed to ensure that health claims are backed by "significant scientific agreement" and appear only on safe, nutritious foods.

Until recently, structure/function claims have appeared largely on supplement labels. If the FDA opens the door for companies to make health claims disguised as structure/function claims, the food industry will abandon all efforts to get legitimate health claims approved. For consumers, that could mean an explosion of unregulated claims on junk foods whose safety and effectiveness are based on junk science.

--END--

*CSPI ([www.cspinet.org](http://www.cspinet.org)) is a nonprofit consumer organization based in Washington, D.C. and is supported by more than 1,000,000 subscribers to its Nutrition Action Healthletter. CSPI led the drive for the current law that requires nutrition information on almost all food labels and recently issued a comprehensive report on functional foods.*

98P-0683

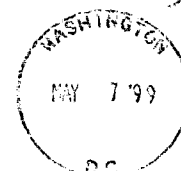
C131

**CSPI** Center for  
Science in the  
Public  
Interest

nonprofit  
publisher of


***Nutrition Action Healthletter***

1875 Connecticut Avenue, N.W., Suite 300  
Washington, D.C. 20009-5728



Dockets Management Branch (HFA-305)  
Food and Drug Administration  
5630 Fishers Lane  
Room 1061  
Rockville, Md. 20852

IH-A-6

 Printed on recycled paper.

20857-0001

